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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/801,565

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Young-Nam Kim

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EXAMINER

ING, MATTHEW W

ART UNIT

PAPER NUMBER

3637

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DELIVERY MODE

02/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/801,565	Applicant(s) KIM, YOUNG-NAM	
	Examiner MATTHEW W. ING	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/22/08 has been entered.

Claim Rejections - 35 USC § 112

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 6, & 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

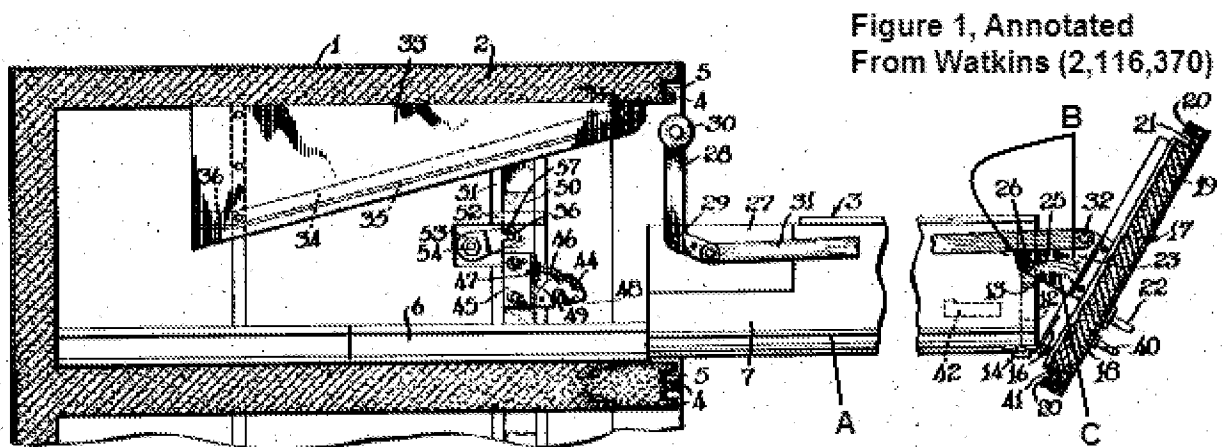
4. Claim 1 fail(s) to recite sufficient structural elements and interconnection of the elements to positively position and define the structure(s) & component(s) whereby hinge bracket is rendered capable of "shield[ing] the hinge connection, the tilting latch, and the stopper pin, and block[ing] off access from an outside of the door to the hinge connection, the tilting latch, and the stopper pin", so that an integral structure able to function as claimed is recited.

5. Claims 6 & 12 are considered indefinite since they depend from an indefinite base claim.

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Claim Rejections - 35 USC § 103

6. Claims 1, 6, & 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meek (2,711,944) in view of Watkins (2,116,370), Wilkins (5,040,856), Becker (5,975,663), & Jenkins (5,487,239).



7. Meek teaches the structure substantially as claimed, including a refrigerator body (10); a door (25) configured to selectively open and close a storage space in the refrigerator body (10), by being drawn out and pushed into the refrigerator body (10) in a manner in which a drawer is moved (see Figure 2); at least one support frame (31) that is inherently capable of having a storage box for storing an object to be seated behind the door (see Figure 2).

8. The only difference between structure of Meek and the invention as claimed is that, Meek fails to teach a door capable of being pivoted about a lower end of the door; a door basket for storing an object, said door basket being disposed at an upper portion of the rear surface of the refrigerator door; at least one support frame in the shape of an inverted "L" hingedly connected to a rear surface of the door thereby creating a hinge connection to allow the door to pivot about the lower end of the door and inherently capable of having a storage box for storing an object to

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be seated behind the door; and at least one cover bracket protruding backward from the rear surface of the door and configured to completely cover a gap between the support frame and the rear surface of the door and the hinge connection when the door is opened; and wherein, when the door is pivoted, the cover bracket shields the hinge connection and blocks access from an outside of the door to the hinge connection.

9. Watkins, however, teaches a door (17) capable of being pivoted about a lower end of the door (see Figure 1); at least one support frame (7) hingedly connected (16) to a rear surface of the door thereby creating a hinge connection (16) to allow the door (17) to pivot about the lower end of the door (17) and inherently capable of having a storage box for storing an object to be seated behind the door (see Figure 1); and at least one cover bracket (i.e., the portion of Item 23 below Item 25 - Item C in Figure 1 Annotated) protruding backward from the rear surface of the door (17) and configured to cover a gap between the support frame (7) and the rear surface of the door (17) and the hinge connection (16); wherein said cover bracket is at a position adjacent to and outward of the at least one support frame (7) and hinge connection (16) with respect to a central longitudinal axis of the storage box; wherein the at least one cover bracket is formed separate from the at least one support frame (7) and the hinge connection (16). The examiner points out that the cover bracket (C) of Watkins covers at least a portion of the triangular gap between the support frame (7), the rear surface of the door (17), and the hinge connection (16) when the door is opened.

10. Additionally, Wilkins teaches at least one frame-like structure (combination of 28 & 146, or 30 & 146) in the shape of an inverted "L"; see Figures 1 & 4. Additionally, Becker teaches a cover bracket (111) positioned & shaped to shield a hinge connection (40) and blocks access

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from an outside of a door (18) to said hinge connection. See Figures 1 & 3. The examiner points out that Becker can be viewed as generally teaching the shaping of a cover bracket in order to shield a hinge connection. Additionally, Jenkins teaches the inclusion of a door basket (46) for storing an object, said door basket being disposed at an upper portion of the rear surface of the refrigerator door.

11. It would have been obvious to one of ordinary skill in the art to replace the door & support frame of Meek with a door & support frame, as taught by Watkins, in order to allow objects to be more easily positioned within, and removed from, the refrigerator; to include flanges along the upper edges of the support frame of Meek as modified by Watkins, as taught by Wilkins, in order to provide structural reinforcement thereto; to modify the size & shape of the cover bracket of Meek as modified by Watkins to shield the hinge connection thereof, as taught by Becker, in order to improve the aesthetic appearance & safety of said structure, and to prevent extraneous matter from interfering with said hinge connection; and to incorporate a door basket, as taught by Jenkins, into the door of the structure of Meek as modified by Watkins in order to provide a space for storing food; thereby providing the structure substantially as claimed.

12. Regarding claim 1, Watkins teaches a structure wherein the door (17) further includes at least one tilting latch formed at one side of the rear surface of the door (17), the door having a lower end hingedly assembled (16) with the support frame (7), the tilting latch having a latch jaw (i.e., those portions of Item 23 located behind and above Item 25 - designated as Item B in Figure 1 Annotated) and the support frame (7) having a stopper pin (26), wherein the latch jaw (B) and the stopper pin (26) can be engaged with each other to limit a range within which the door can be pivoted (see Figures 1 and 3).

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13. Regarding claim 1, whereas Becker teaches a cover bracket that extends to shield a hinge connection, it is therefore reasonable to conclude that, in the structure of Meek as modified by Watkins & Becker includes the cover bracket, as modified, would likewise extends to shield the hinge connection thereof. It is noted that a cover bracket shaped & sized to block off & shield the hinge connection of Watkins would likewise be capable of shielding the tilting latch & stopper pin, and of blocking access to said components from, e.g., an object diagonally approaching the lower corner of said door. As such, whereas that the cover bracket of Meek as modified by Watkins & Becker can therefore be viewed as being capable of shielding the hinge connection, tilting latch, & stopper pin, and of blocking off access thereto from an outside of the door, said cover bracket is therefore viewed as reading upon the limitations of claim 1.

14. Regarding claim 6, the structure of Watkins includes at least one movable rail (Item A of Figure 1, Annotated) formed on the support frame (7); and at least one guide rail (6) formed on an inner surface of a side wall of the refrigerator body (1), wherein the guide rail (6) is engaged with the movable rail (A), and guides movement of the support frame (see column 2, lines 3-4).

15. Regarding claim 12, Watkins teaches a structure wherein the at least one cover bracket (i.e., the portion of Item 23 below Item 25 - Item C in Figure 1 Annotated - as modified in view of Becker) is formed a predetermined distance apart from the at least one support frame (7) and the hinge connection (16). The examiner points out that the cover bracket of Watkins is a part of Item 23 thereof, and that Item 23 is positioned in a location that is horizontally spaced from both the support frame (7) & hinge connection (16) thereof. See Figure 2. As such, the structure of Watkins as modified by Wilkins & Becker is viewed as reading upon the limitations of claim 12.

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Response to Arguments

16. Applicant's arguments filed 10/22/08 have been fully considered but they are not persuasive.

17. Applicant's arguments with respect to claims 1, 6, & 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW W. ING whose telephone number is (571)272-6536. The examiner can normally be reached on Monday through Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MWI
23 January 2009
/José V. Chen/

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Primary Examiner, Art Unit 3637